

REMARKS

With this Response, Applicants respectfully request that claim 42 be canceled without prejudice. Claims 1, 11, 21, 31, 41 and 43 are amended. New claim 45 is presented herein. Therefore, claims 1-41 and 43-45 are pending.

CLAIM REJECTIONS - 35 U.S.C. § 103

Claims 1-4, 7-14, 17-24, 27-34, and 37-40

Claims 1-4, 7-14, 17-24, 27-34, and 37-40 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0062333A1 of Anand et al. (*Anand*) in view of U.S. Patent No. 6,697,334 of Klineciewicz et al. (*Klineciewicz*). Applicants respectfully submit that these claims are not rendered obvious by the reference for at least the following reasons.

Claim 1 as amended herein recites the following:

associating a security association with a traffic stream;
associating a metric value with the security association;
modifying the metric value based on an amount of network traffic generated for the traffic stream; and
dynamically mapping the traffic stream to one of multiple components that perform cryptography operations based on the metric value.

Claims 11, 21, and 31 recite similar limitations directed to associating a metric value with a security association of a traffic stream and modifying the metric value based on network traffic generated for the traffic stream.

Anand discusses the offloading of operations from the CPU to other hardware. See [0012] to [0014]. The Office Action at page 2 asserts that *Anand* discloses a metric value associated with a security association. The reference does not support this assertion. The cited reference discusses that certain operations, such as encryption/decryption, are "CPU intensive operations" and therefore can be offloaded for hardware other than the CPU to perform. See

[0014]. The determination whether an operation is CPU intensive does not disclose a metric value as recited in the claims. In *Anand*, the mere fact that the certain operations will be performed determines whether the operation will be offloaded, not the value of some metric, which is in contrast to the claimed invention. The claims recite a metric value associated with a security association that is modified based on an amount of network traffic generated for an associated traffic stream, in contrast to the reference. Thus, the reference fails to disclose or suggest at least associating a metric value with a security association of a traffic stream and modifying the metric value based on network traffic generated for the traffic stream, as recited in the claims.

The Office Action at page 3 further asserts that *Klincewicz* discloses modifying a metric value based on network traffic. Applicants submit that this interpretation is not supported by the reference. *Klincewicz* discusses design of a network that supports QoS, and recites various kinds of information (called "input data") that might be used to classify a packet for QoS purposes. See col. 5, lines 22 to 53. The reference states that "input data may be entered by the designer using the input devices 110. The input data may additionally be read from a file located in the database 150." Col. 5, lines 33 to 35. Thus, the reference discusses using stored information in the design of a network to determine how to classify a packet, which is in contrast to the teachings of *Anand* that discusses concepts of **dynamic** offloading, and which is also in contrast to the claimed invention that recites modifying the metric value **based on an amount of network traffic generated for an associated traffic stream**.

Thus, *Anand* fails to disclose at least one element of the claimed invention, and *Klincewicz* fails to cure the deficiencies of *Anand*. Both references suffer the same defect, and fail, whether alone or in combination, to disclose or suggest at least associating a metric value

with a security association of a traffic stream and modifying the metric value based on network traffic generated for the traffic stream, as recited in the claims. Therefore, the references fail to support an obviousness rejection of the independent claims under MPEP § 2143.

The remaining claims depend from the independent claims discussed above. As per MPEP § 2143.03, claim depending from nonobvious are also nonobvious. Therefore, these claims are not rendered obvious by the references for at least the reasons set forth above with respect to the independent claims.

Claim 41

Claim 41 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Anand* in view of U.S. Patent No. 6,209,101 of Mitchem et al. (*Mitchem*).

Claim 41 as amended herein recites the following:

associating a security association with a traffic stream;
associating a metric value with a security association;
initializing the metric value to a predetermined value when the security association is received by a driver agent, the metric value to be modified based at least in part on traffic generated for the associated traffic stream;
determining whether the security association necessary for performing cryptography operations on a packet of the traffic stream is cached;
determining whether the security association should be cached based on the metric value; and
caching the security association if it is determined from the metric value that the security association should be cached.

As discussed above, *Anand* fails to disclose or suggest associating a metric value that is modified based on traffic generated for an associated traffic stream with a security association, as recited in the claim. *Mitchem* discusses security policy enforcement with multiple security servers, and is not cited for curing this deficiency, and in fact fails to cure the deficiencies of *Anand*. The references, whether alone or in combination, fail to disclose or suggest at least associating a metric value with a security association of a traffic stream and modifying the metric

value based on network traffic generated for the traffic stream, as recited in the claim.

Therefore, the references fail to support an obviousness rejection of this claim under MPEP § 2143.

Claims 5-6, 15-16, 25-26, 35-36, and 42-44

Claims 5-6, 15-16, 25-26, 35-36, and 42-44 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Anand* and *Klincewicz* in view of *Mitchem*. Claim 42 is canceled herein, rendering rejection of this claim moot. The remaining claims depend, directly or indirectly, from independent claims discussed above. The rejection of the independent claims is shown above to be improper because the cited references, whether alone or in combination, fail to disclose or suggest at least one element of the independent claims. As per MPEP § 2143.03, claim depending from nonobvious are also nonobvious. Therefore, these claims are not rendered obvious by the references for at least the reasons set forth above with respect to the independent claims. Furthermore, claim 45 is added herein, and depends from claim 41. Thus, claim 45 should also be allowable over the cited references for at least the reasons set forth above.

CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome, placing all claims in condition for allowance. Such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number
02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Date: 4/13/05

Vincent H. Anderson
Vincent H. Anderson
Reg. No. 54,962

12400 Wilshire Blvd., 7th Floor
Los Angeles, CA 90025-1026
Telephone: (503) 439-8778

I hereby certify that this correspondence is being deposited with
the United States Postal Service as first class mail with sufficient
postage in an envelope addressed to Commissioner for Patents,
P.O. Box 1450 Alexandria, VA 22313 on.

4/13/05
Date of Deposit
Rachael Brown
Name of Person Mailing Correspondence
[Signature] 4/13/05
Signature Date